

University of California, Hastings College of the Law UC Hastings Scholarship Repository

Initiatives

California Ballot Propositions and Initiatives

10-6-2003

STATE REVENUE AND EXPENDITURES. INITIATIVE STATUTE.

Follow this and additional works at: http://repository.uchastings.edu/ca_ballot_inits

Recommended Citation

STATE REVENUE AND EXPENDITURES. INITIATIVE STATUTE. California Initiative 1006 (2003).
http://repository.uchastings.edu/ca_ballot_inits/1162

This Initiative is brought to you for free and open access by the California Ballot Propositions and Initiatives at UC Hastings Scholarship Repository. It has been accepted for inclusion in Initiatives by an authorized administrator of UC Hastings Scholarship Repository. For more information, please contact marcusc@uchastings.edu.



SECRETARY OF STATE
KEVIN SHELLEY
STATE OF CALIFORNIA

March 26, 2004

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS AND
PROPOSERS (04115)

FROM:

Brianna Lierman

BRIANNA LIERMAN
ELECTIONS ANALYST

RECEIVED

MAR 30 2004

LIBRARY
HASTINGS COLLEGE

SUBJECT: FAILURE OF INITIATIVE #1006

Pursuant to Elections Code section 9030(b), you are hereby notified that the total number of signatures to the hereinafter named INITIATIVE STATUTE filed with all county elections officials is less than 100 percent of the number of qualified voters required to find the petition sufficient; therefore, the petition has **failed**.

TITLE: STATE REVENUE AND EXPENDITURES.

SUMMARY DATE: 10/06/03

PROPOSER: Steve Mozena



SECRETARY OF STATE
KEVIN SHELLEY
STATE OF CALIFORNIA

October 6, 2003

TO: ALL REGISTRARS OF VOTERS OR COUNTY CLERKS AND PROPONENTS
(CCROV 03287)

FROM: Brianna Lierman
BRIANNA LIERMAN
ELECTIONS ANALYST

SUBJECT: **Initiative #1006**

RECEIVED
OCT 10 2003
LIBRARY
HASTINGS COLLEGE OF THE LAW

Pursuant to Elections Code section 9002, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**STATE REVENUE AND EXPENDITURES.
INITIATIVE STATUTE.**

The proponent of the above-named measure is:

Steve Mozena
PO Box 11144
Carson, CA 90749

ELECTIONS DIVISION
1500 11TH STREET - 5TH FLOOR • SACRAMENTO, CA 95814 • (916) 657-2166 • WWW.SS.CA.GOV

OTHER PROGRAMS: STATE ARCHIVES, BUSINESS PROGRAMS, INFORMATION TECHNOLOGY, EXECUTIVE OFFICE, GOLDEN STATE MUSEUM, MANAGEMENT SERVICES, SAFE AT HOME, DOMESTIC PARTNERS REGISTRY, NOTARY PUBLIC, POLITICAL REFORM



#1006
STATE REVENUE AND EXPENDITURES.
INITIATIVE STATUTE.

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required: 373,816
California Constitution, Article II, Section 8(b)
2. Official Summary Date: Monday, 10/06/03
3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (EC §336) Monday, 10/06/03
 - b. Last day Proponent can circulate and file
with the county. All sections are to be filed at the
same time within each county (EC §336, 9030(a)) Thursday, 03/04/04
 - c. Last day for county to determine total number of
signatures affixed to petitions and to transmit total
to the Secretary of State (EC §9030(b)) Tuesday, 03/16/04

(If the Proponent files the petition with the county on a date prior to 03/04/04,
the county has eight working days from the filing of the petition to determine the
total number of signatures affixed to the petition and to transmit the total to the
Secretary of State) (EC §9030(b)).
 - d. Secretary of State determines whether the total number
of signatures filed with all county clerks/registrars of
voters meets the minimum number of required signatures,
and notifies the counties Thursday, 03/25/04*
 - e. Last day for county to determine total number of qualified
voters who signed the petition, and to transmit certificate
with a blank copy of the petition to the Secretary of State
(EC §9030(d)(e)) Friday, 05/07/04

*Date varies based on the date of county receipt of verification.

INITIATIVE #1006
Circulating and Filing Schedule continued:

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 03/25/04, the last day is no later than the thirtieth day after the county's receipt of notification).
(EC §9030(d)(e)).

- f. If the signature count is more than 411,198 or less than 355,125 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 355,125 and 411,198 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of **all** signatures..... Monday, 05/17/04*

- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State.
(EC §9031(b)(c)). Tuesday, 06/29/04

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 05/17/04, the last day is no later than the thirtieth working day after the county's receipt of notification)
(EC §9031(b)(c)).

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient (EC §9031(d); 9033)..... Saturday, 07/03/04*

*Date varies based on receipt of county certification.

IMPORTANT POINTS

- California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fundraising or requests for support. Any such misuses constitutes a crime under California law. Elections Code section 18650; *Bilofsky v. Deukmejian* (1981) 124 Cal. App. 3d 825, 177 Cal. Rptr. 621; 63 Ops. Cal. Atty. Gen. 37 (1980).
- Please refer to Elections Code sections 100, 101, 104, 9001, 9008, 9009, 9021, and 9022 for appropriate format and type consideration in printing, typing and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq.
- When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- When filing the petition with the county elections official, please provide a blank petition for elections official use.

Enclosures

BILL LOCKYER
Attorney General

State of California
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125
P.O. BOX 94
SACRAMENTO, CA 94244-2000
Public: (916) 445-9555

Facsimile: (916) 324-8835
Phone: (916) 324-5490

October 6, 2003

FILED
in the office of the Secretary of State
of the State of California

OCT 06 2003

KEVIN SHELLEY, Secretary of State
By Brianna Herman
Deputy Secretary of State

Kevin Shelley
Secretary of State
1500 - 11th Street, 5th Floor
Sacramento, California 95814

RE: Initiative Title and Summary
SUBJECT: STATE REVENUE AND EXPENDITURES.
INITIATIVE STATUTE.
FILE NO: SA2003RF0034

Dear Mr. Shelley:

Pursuant to the provisions of sections 9004 and 336 of the Elections Code, you are hereby notified that on this day we mailed our title and summary to the proponent of the above-identified proposed initiative.

Enclosed is a copy of our transmittal letter to the proponent, a copy of our title and summary, a declaration of service thereof, and a copy of the proposed measure.

According to information available in our records, the name and address of the proponent is as stated on the declaration of service.

Sincerely,

TRICIA KNIGHT
Initiative Coordinator

For **BILL LOCKYER**
Attorney General

TK
Enclosures

Date: October 6, 2003
File No.: SA2003RF0034

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure.

STATE REVENUE AND EXPENDITURES. INITIATIVE STATUTE. Requires each state agency, at the end of each business day, to post on its website: (1) relevant names, dates and amounts of every check, credit card or cash transaction, or other agency expenditure; and (2) revenue sources, including, but not limited to, taxes and fees, and the date, amount of revenue, and fund into which the revenue is deposited. The Controller in consultation with the Treasurer and Department of Finance shall create guidelines and procedures to standardize the postings in the format of a checkbook register. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: This measure would have the following major state fiscal effects: Potential one-time costs of over \$200 million and annual costs in the tens of millions of dollars for the development, implementation, maintenance, and use of a new data collection and reporting system.

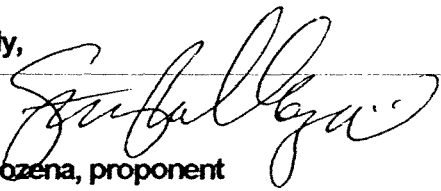
Memorandum

To: Trisha Knight, Attorney General's Office for the State of California
From: Steve Mozena, proponent
Date: 8/13/2003
Re: A California Initiative to post all the State's Finances to the Internet

Trisha:

I'm requesting Title and Summary from the California State Attorney General for the attached California Initiative

Sincerely,


Steve Mozena, proponent
PO Box 11144
Carson, CA 90749


RECEIVED
AUG 14 2003

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

ELECTIONS CODE SECTION 9608

9608. (a) A proponent of an initiative measure shall execute and submit, along with the request for a title and summary for the proposed measure, a signed statement that reads as follows:

I, STEVE MOZENA, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willingly allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.



(Signature of Proponent)

Dated this 12th day of August, 2003

(b) The certification required by subdivision (a) shall be kept on file by the agency authorized to prepare the title and summary for the proposed initiative measure for not less than eight months after the certification of the results of the election for which the petition qualified for, or if the measure, for any reason, is not submitted to the voters, eight months after the deadline for submission of the petition to the elections official.

(c) Failure to comply with this section shall not invalidate any signatures on a state or local initiative petition.

(d) This section shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2005, deletes or extends that date.

RECEIVED
AUG 14 2003

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO
THE VOTERS

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

(Here set forth the title and summary prepared by the Attorney General. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA

We, the undersigned, registered, qualified voters of California, residents of Los Angeles County, hereby propose amendments to the Government Code, relating to the posting of state finances on the Internet, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to that general election or otherwise provided by law. The proposed statutory amendments (full title and text of the measure) read as follows:

SECTION 1. This act shall be known and may be cited as the Fiscal Accountability in State Government Act.

SEC. 2. The people of the State of California find and declare all of the following:

(a) The people of California expect and deserve financial accountability from the state government.

(b) In view of the ongoing need for state fiscal accountability, and the current state of information technology, the time has arrived for the daily posting of all California state finances on the Internet.

(c) The daily posting of state finances on the Internet and the

availability of this financial information to the public will help thwart fiscal improprieties.

(d) Taxpayers have an absolute legal right to state financial records to inform them about the amount of revenue collected by the state and the manner in which those funds are spent.

(e) It is the intent of the people that postings on state agency Web Sites include the checkbook registers of state revenues and expenditures and thus provide taxpayers with a simple and easy method to review state fiscal data.

(f) With increased knowledge of state fiscal affairs, an informed citizenry will be able to demand fiscal accountability from state government.

(g) The daily posting of all state government revenues and expenditures will help control spending, trim excess fat, and even reduce taxes by keeping state finances in plain view of the citizenry.

SEC. 3. Section 16318 is added to the Government Code, to read:

16318. (a) Each state agency shall post on its Web site at the close of each business day any expenditures made and revenues credited to that agency on that day. The posting shall include relevant names, dates, and amounts of each and every check, credit card transaction, cash transaction, or other expenditure by the agency. With respect to the revenue, the posting shall include the sources of revenue, including, but not limited to, taxes and fees, and the date, amount of the revenue, and the fund into which the revenue is deposited, thus providing a money trail of all revenues and expenditures for the state agency.

(b) The posting shall include a format that can be viewed and retrieved by the public in the form of a checkbook register.

(c) The Controller, in consultation with the Treasurer and the Department of Finance, shall adopt guidelines and procedures to ensure that the posting of state financial information on the State of California Web sites by state agencies is standardized.

(d) For purposes of this section:

(1) "Revenues" include funds appropriated from the General Fund and allocated to the state agency, and funds appropriated from special funds to the agency, including funds that become available to the agency because of any fees, fines, or other payments into a special fund that are continuously appropriated to the agency.

(2) "State agency" means every state office, department, division, bureau, board, commission, superior court, Court of Appeal, the Supreme Court, the California State University, the University of California, and the Legislature, and is intended to be all inclusive.

(e) This section shall become effective only when it is submitted to, and approved by, the voters of California, pursuant to subdivision (c) of Section 10 of Article II of the California Constitution. This section shall be implemented within 120 days of its effective date.

SEC. 4. Pursuant to subdivision (c) of Section 10 of Article II of the California Constitution, the provisions of this act may be amended only with the approval of the electors by a vote of registered, qualified voters of the state.

- 0 -
